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## REPRESENTATIVE GOVERNMENT IN THE ANCIENT POLITIES

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When Freeman wrote his elaborate History of Federal Government he could with the evidence then available enter a general denial that no ancient polity presented an example of real representative government. Though the bulk of historical material added since his day is not large, the new papyri and inscriptions have been relatively generous with data on the point at issue. A paragraph on the interesting Boeotian constitution, new details from the Athenian proposals which borrowed suggestions from it. inscriptions containing legal records from the more obscure leagues. not only have provided explicit evidence but have also aided in the interpretation of available sources not quite fully understood before. Even now we may not be permitted to say that any one ancient constitution had elaborated all the consequences of the principle of representation, but we may now at least see it at work under conditions so varied that we cannot longer deny that it was recognized as a useful and practical idea.

To be sure, the ancient philosophers did not submit the idea to a special analysis, but that is because they were usually concerned with the primary classification of polities, whereas the machinery of indirect government appeared to be only a convenient mode by which democracy might occasionally prefer to work. That as a method of procedure it should create qualitative differences in polities was not at once apparent.

In ancient days as in modern the device developed its possibilities very slowly and by way of compromise, a compromise that has entailed a surrender of privileges on the part of the sovereign and has therefore had to develop its possibilities despite the opposition of the sovereign. It would be difficult to point to any hereditary autocracy that has ever voluntarily shared its powers and privileges with the representatives of the people. Similarly when the people themselves hold the reins of government they are loath to surrender their hold even to drivers selected by themselves. King Edward apparently asked for delegated representatives of the people only because this offered the easiest way of securing the support of the people when he was in danger, and it took centuries before this body of indorsers became a responsible government. Nor did the democratic Swiss states at first intrust any but strictly circumscribed functions to the envoys they sent to a common Diet, and only after centuries of mistakes could this council of envoys grow into a parliament of a sovereign union.

It was not a philosophic argument in favor of a natural-sized polis, nor was it a temperamental egoism in the race which created the Greek city-states and kept them from merging into a territorial state. The Amphictyonic Council with its system of delegations seems more than once to have suggested the machinery by which Greece could be unified. But the nature of the Greek migrations and the physiographic barriers of the land had militated from the first against unification, until indeed linguistic differences, peculiar local folk-ways, and diversity of economic needs grew into barriers that were even stronger. Among the village communities in each group there was usually one that attracted inhabitants more quickly than the rest because of some natural advantages, and such a village, if near the center of a group not too large, readily became a gathering-place for common tribal meetings and the seat of the tribal cult. Thus city-states grew—not as some a priori philosophers supposed who posited sophisticated city founders.

Here and there, however, several villages increased apace in different parts of such a dialect group. If none gained clear predominance and the ancient consciousness of tribal unity encouraged by external dangers still persisted, a federation of such cities was a natural result. In Boeotia, for instance, there were several fairly prominent cities in a naturally bounded plain some fifty miles long. Thebes was indeed strong enough at times to exert leadership, but there were also other towns of importance which proved quite unwilling to lose their identity. When therefore distance and the local patriotism of the cities militated against a government by a tribal

assembly, while at the same time the common welfare and common worship favored a single government, it was only natural that this should be carried on by a relatively small group of delegates apportioned to the members of the federation according to population. And in fact a fragment of a Greek historian found in Egypt (Hellenica Oxyrhynchia, 1909) proves this to be the case in the Boeotian League in 307 B.C. The league then consisted of eleven units, of which Thebes with its subject cities reckoned as four, Orchomenus and Thespiae as two each, Tanagra as one, and two groups of three small cities each also as one. Each unit contributed one boeotarch, sixty senators, and its quota of judges to the common government, while there is no trace of a popular assembly, which is usually the sovereign body in the Greek states. This common senate was therefore the responsible deliberative body of the league while the eleven boeotarchs formed its executive council, and both of these bodies apparently deserve to be called truly representative. Had this central government been allowed to live long enough to merge the league members into a thoroughly unified state, as for instance the Diet of the Swiss Confederation did in the nineteenth century, the Boeotian League would have stood out as a clear example of representative government in a sovereign territorial state in the fullest modern sense.

To be sure, there is still some doubt about the method of selecting the sixty deputies from each unit, and the prevailing view seems now to be that they were chosen by lot. The question is of course not very vital. If electoral qualifications were generally placed high—and in Boeotia a hoplite's census was probably required choice by lot might be depended upon to secure men capable of presenting the views of their constituents. Selection by vote does not necessarily secure fair representation. However, there is no particular reason for supposing that the Boeotian units chose their delegates by lot rather than by vote, especially since the boeotarchs were elected. Since the units that furnished the senators were not the local administrative bodies and did not coincide with the cities which had senates of their own, it was not easy to make up the federal senate by the casting of lots among or by the local senates. It would seem then that the citizens of each unit, or at

least, of each district, must meet for this one task of selecting their delegates; and considering the importance of the senate and the aristocratic tendencies of Boeotia we may reasonably assume that the people were asked to elect suitable men by direct vote. Such an assumption is strengthened by the fact that the proposed Athenian constitution of 411—which was directly influenced by the Boeotian one—devised methods of choosing relatively large numbers of representatives by popular elections.

Thucydides indeed reveals the fact that the council of eleven generals was prone to make its own decisions when in the field, assuming that the senate would ratify its action, but the senate did not always acquiesce humbly to such treatment. It was indeed easily overawed, but *de jure* it was the responsible federal legislature which had in its hands the ultimate decision on all questions of foreign policy and on many matters of domestic concern; and, what is rarely found in Greece, its decisions were apparently final and did not have to be referred back to the local senates for ratification. If this is true, the senators were responsible representatives and not, as is more usual in Greece, merely instructed delegates, or delegates bound to refer back for instructions in each individual case.

The judgments of history fitted together from incomplete sources prove somewhat unstable when the people that was for centuries the synonym of stupidity finally is proved by a crumbling fragment of papyrus to have "anticipated substantially the whole modern system of government—a representative parliament, an elective executive, and a supreme court." Had Freeman known this constitution he would probably have read the fragmentary evidence regarding the other Greek leagues with a mind open to interpretations which he thought precluded, and his conclusions would of course have been different.

The Boeotian constitution bore direct fruit in the Hellenic confederation which Philip of Macedon called into being at Corinth after Chaeronea in 338 B.C. Philip, who had spent his youth at Thebes, had apparently learned the forms of the old Boeotian constitution there. This new league was of course to be subservient to the master, the king of Macedon, but that fact was not

apparent in its charter. As in Boeotia, districts (which in this case might be groups of adjacent states, or whole leagues) were given proportional representation, and the resulting senate had the power to elect its president and to act upon all questions of common interest without referendum to the constituent districts. own predominance and his disregard for local patriotism in shaping the units precluded the possibility of this league growing into a unified Pan-Hellenic state, but, except for that, the idea had many new possibilities. When Antigonus Doson revived the league he surrendered much of the federal strength by reinstituting a referendum of the decision to the constituent states, but by doing so he also won adherence to his idea more quickly. The later Hellenic League, therefore, though less truly a representative state than Philip's league, was a more practical approach to a unified Greece. Philip V, who at first made use of Antigonus' methods, soon brought the league upon the rocks by involving it in his own attack upon Rome, and thus vanished the one promise of a great Hellenic state under constitutional government.

The Aetolian League also employed the principle of representation, although the body of delegates did not here form as important a part of the government as in Boeotia. Whether this federation had borrowed the idea from Boeotia we cannot say, though this assumption would be reasonable, since the Aetolian League was constantly in close political touch with Boeotia during its period of formation and growth. However, the employment of deputies was so obviously the natural course when a widely extended democratic tribe without a dominating central city tried to preserve its unified existence against foreign pressure that borrowings need not be posited. If suggestions were needed the ancient Amphictyonic Council, to which Aetolia also sent delegates, was always a standing object-lesson. Now in Aetolia the citizens were jealous of their right to decide at first hand all important questions of state, but they could obviously not gather from the four corners of the farspreading league to discuss every matter that must be decided. Their stated meetings were held but twice a year. Hence the council (boulē) which ordinarily existed to shape and formulate measures for the popular assembly was ever more depended upon to decide serious questions in the intervals between the larger assemblies. In fact, when the final break with Rome came, the council was so dominant a factor in Aetolian politics that the Romans held the councilors responsible for the behavior of the state toward Rome. That the councilors were true representatives of the people in Aetolia is evidenced by an inscription which records a treaty arranging that each of two towns formerly united should in the future be represented in the federal council by members in proportion to the population of each (Michel, No. 22).

In studying the behavior of this league in its wars with Macedonia and with Rome, we notice clearly that as the league expanded and its foreign complications became ever more frequent and more intricate, the council of wiser heads and its select committee of apocletoi constantly assumed increasing importance, just as at Rome the senate grew from a council into a directing power when Rome had to face foreign questions that were beyond the scope of the populace. Had the Aetolian League met a less formidable enemy than Rome, so that it might have survived, a few generations of this kind of experience must have made the representative senate supreme in Aetolia also. At any rate the normal machinery which naturally develops into representative government in federal polities was there.

Of the corresponding federation in the Peloponnesus, the Achaean League, very little definite information is at hand. In general, however, the constitution seems to have been modeled upon the Aetolian. Here also the ordinary, though not the most vital, business of the federation was conducted by a council provided in some unknown manner by the member cities. We do not yet know whether these councilors were real representatives or whether they were merely fractions of the citizen body of each state. This league also ran athwart the path of Rome and suffered the inevitable fate; but the history of its last years proves that it, like the Aetolian League, was then well on the road toward a centralized government conducted by a select body rather than by a cumbersome primary assembly.

There were many other leagues—more than a score—which were growing up in the remoter districts of Greece when the famous

city-states were waning, but most of them are known to us only from fragmentary inscriptions. These records usually prove that primary assemblies bore the responsible burden of government, but they also tell of senates, and these were probably in many cases bodies of delegates chosen by the communities that constituted the federation. The evidence for such a method is fairly strong in the case of the Magnesian and the Lycian leagues, though in both cases the phraseology is inconclusive. At least the historian must now assume that the method was so widely in vogue that in the case of leagues which compassed much territory he may assume that the convenient machinery was accepted without prejudice. In two bodies at least—neither sovereign in political matters delegated senates conducted all the requisite business, since the distances involved precluded the use of primary assemblies. The old Amphictyonic Council consisted of delegates sent by the sev-Athens elected her delegates by show eral states of Greece. of hands (the priestly members of the delegation being chosen by lot). Aetolia also elected by direct vote, while in autocratic states like Macedonia the delegates were doubtless chosen by royal appointment. This council, however, dealt mainly with sacred matters and had of course no direct means of securing the execution of its resolutions. A league of Aegean Islands (Nesiotes), conducting its business through delegates, also subsisted for some time during the third and second centuries for the protection of maritime commerce. An actual sovereign state this federation never was, but it supported a fleet of its own through indirect contributions. At any rate, all its affairs had to be conducted by a senate of representatives. The formation of the league was very loose; it was so dependent for practical support upon stronger states and its members were so far severed by diverse political and economic interests that it could not even under the most favorable circumstances have developed into a new state; but it did at least prove to a certain extent the prevalent belief in the practicability of united action through delegates.

The representative principle was then freely used by the Greeks when needed. It was not lack of political insight that prevented them from drawing all the logical consequences from the idea.

Rather there were separatistic factors of physical geography and consequently of linguistic and social differences that propagated the city-state ideal; and even when the tribe was cumbersomely large the primary assembly clung to its right of ultimate decision upon the most vital questions, partly because men are men and trust themselves rather than delegates, partly because the Greeks had emerged from regal government to democracy through the oligarchic form, and disagreeable associations therefore clung to the thought of a powerful senate. Nevertheless the Boeotian League proved that Greeks when not completely wedded to democracy knew how to use the appliances of representation in federal government for all the administrative functions of a sovereign state; the Hellenic League formed by Philip of Macedon, though hampered by overstrong leadership, demonstrated how the device becomes a necessity when widely separated peoples attempt to form an effective confederacy; and finally the Aetolian League illustrated how the body of delegates tended to grow into a governing Diet when the league expanded beyond the limits within which the gathering of a primary assembly became a striking inconvenience, and when it met with intricate questions with which the populace could not well cope. If no Greek state emploved all the advantages of representative government at one time, at any rate every essential element of the principle was put to the test. In Boeotia, Aetolia, and the Hellenic League at least the deputies were fairly proportioned to the population. Direct election of the delegates by the citizens was probably the usual Finally, in several instances the senators were more than delegates bound to instructions or circumscribed in power by the necessity of securing subsequent ratification of action taken; they were true representatives of their constituents.

The Roman polity early set out on the imperial road, along which it advanced with confident step for centuries. Here in the one all-including state there were but few opportunities to experiment in new forms of government, since so vast an empire was at stake in each throw. However, the Romans also came to recognize the advantages of the representative in more than one instance.

In Latium the tribe segregated early into city-states. Raiding expeditions from the neighboring mountains compelled the village

communities to concentrate in defensible positions so that the original village groups—some fifty, we are told—gradually aggregated to a half-dozen cities. Then the old feeling of tribal unity naturally waned, and a new patriotism centering in the several cities came into being. Presently, under the temporary leadership of Etruscan princes, Rome as a city-state won a position of leadership among the Latin cities, and when discontentment and jealousy resulted Rome assumed hegemony in the group by force of arms. It was not long before Rome's power extended a hundred miles southward over peoples which could not effectively exercise a franchise at the city, and Rome had to devise some form of government that would at the same time be liberal enough to invite the subject and strong enough to control. It might seem that this was the proper moment to introduce the idea of representation, and according to Livy (viii. 5. 5) the subjected Latins at least asked for a fair quota of places in the senate; but apart from the fact that a controlling group seldom cares to part with or share its power, there were reasonable objections to it. The Roman populace had then been struggling for over a century to wrest control of politics from an oligarchical senate and had almost won their They saw no doubt that a representative congress would soon outweigh the primary assembly of the city in strength, and oligarchy would return. Again, if Rome was to be liberal in the extension of the franchise the day would soon come when a system of proportional representation would bring the government into the hands of non-Latin peoples. We can readily see that Rome might soon have lost control of the government, and an inharmonious and futile federation would have displaced the strong state which had developed a consistent policy and a splendid organizing power. So far as Italy itself is concerned, the representative principle might have been tried in the Gracchan days when the allies had been fairly well Romanized, but it would have paralyzed the state if tried before.

Consequently, when the proposal of the Latins was made Rome preferred to adopt a different course. She formed a federation of several classes of citizen municipalities and dependencies, graduating them according to the requirements of each individual case.

The nearer peoples when well Romanized were admitted to full Roman citizenship; others were probationally accorded a share of such rights with a promise of ultimate full rights; while the more distant communities were attached to the federation by more or less favorable alliances according to circumstances, always with the promise of improved status in case of loyalty. This constitution, perhaps the most liberal and statesmanlike method of statebuilding of ancient times, proved for some decades thoroughly adequate to the task of unifying and Romanizing Italy. logical consequence should have been representative government when the treaties were finally exchanged for full citizenship. But when the proper time came the vast extension of the external empire had trained the Roman nobles to look upon provincial offices as their fair spoils. The state was then already a parasitic tyranny. Even in the Second Punic War, when a prudent senator, Carvilius, proposed that the Latin municipalities be given a representation of two members each in the senate at Rome (Livy xxiii. 22)—and at that time the senate was practically the government the aristocracy refused to share their responsibilities in any way that threatened to diminish their individual privileges, and the proposal fell through.

However, the Romans found the principle of representation suited to their needs when they were called upon to organize governments for the liberated Greeks after the Second and Third Macedonian Wars. When Flamininus had defeated Philip V, he, with the commission representing the Roman senate, had the task of setting up new states for several of the peoples freed from Macedonian rule, and in many cases they found the tribal cohesion so strong that the obvious solution lay in organizing a number of city communities into a federated state. The problems presented were often very intricate. In Thessaly, for instance, many influential cities desired autonomy, and the Roman senate naturally preferred to deal with the several cities rather than with dangerously large states; on the other hand, common rites, common language, historical precedent, and the need of a cohering power against the possible encroachments of Macedonia pointed to the advisability of federating the Thessalian cities into a union.

Another consideration was of moment. Flamininus and the commissioners were Roman aristocrats representing a senate which traditionally distrusted democratic forms. In fact the Greek democracies were suspected all the more because the Greek demos distrusted the aristocratic leanings of the Rome of that day. Now Flamininus so far humored the Greek populace in Thessaly as to give the individual cities a fairly democratic charter. He offered them the usual primary assembly, with a probouleutic council. The only aristocratic provisions were that certain property qualifications were stipulated for officials, and that proposals to the populace must come through the magistrate. However, for the federal government he combined Greek and Roman ideas in such a way as to preserve native forms to some extent and yet secure the aristocratic régime consonant with Roman senatorial ideas. solved his difficult problem by placing the central government in the hands of a single senate—synedrion—made up of representatives of the cities.

This Thessalian federal government managed the affairs of a legally independent state for about fifty years. Inscriptions show that it performed its functions normally through that period at least, supporting a military force, legislating, settling disputes between member cities, sending and receiving deputations on matters of foreign policy, granting citizenship, etc. In fact, however, Thessaly was essentially a Roman protectorate, since it hardly dared to alter any of the arrangements made by Flamininus without consulting Rome (Inscriptiones Graecae, IX, 2, No. 89). At about 146 B.C.—after the reorganization of Greece—Thessaly became a part of the Roman province of Macedonia, but the league government persisted, though without political power, in its old form for several hundred years. For instance, in the early empire the senate was requested by Rome to arbitrate a dispute between two member cities, and the vote on that occasion records 334 representatives present (Inscriptiones Graecae, IX, 2, No. 162).

This form of government first made for Thessaly seems ultimately to have become the standard form for all leagues dependent upon Rome. Certainly the Boeotian League, which had long been democratic, was reorganized on those lines when it fell completely under Rome's power after 146 B.C. The league of the Phocians was also managed after 146 by representatives of the member cities, in so far as it continued to exercise any power. However, these leagues apparently attained to this form of government only after their independence had completely vanished.

A more important and interesting example of representative government organized by the Romans is that which, in imitation of Flamininus, was bestowed by Aemilius Paulus and his commission upon the republics which they set up in Macedonia at the end of the Third Macedonian War in 167 B.C. After removing the king as prisoner to Rome the senatorial commission and the general divided the territory into four republics, drew up charters for the cities and a definite constitution for the states, laid down certain general regulations concerning revenues, armament, and coinage, then left the new states to work out their own salvation. In general, we know that the national constitution of the four states provided for an executive of each to be elected annually by the primary assemblies which gathered at the respective capitals, and that there was a senate in each state, to which very important, if not all, legislative functions were given.

The functions and composition of this senate deserve attention. It will be remembered that in most of the Greek states the senate was merely a counseling body which shaped the ordinances that were to be submitted to the deciding vote of the sovereign primary assembly of all qualified citizens. Not so in Macedonia. Livy says explicitly that the senate was formed to preserve the state from the mistakes of popular rule, "ne improbum vulgus libertatem ad licentiam traheret" (xlv. 18), and that the magistrates should govern in accordance with its decisions, "quorum consilio res publica administraretur" (xlv. 32). Polybius also (xxxi. 12), who describes the Achaean League as wholly democratic, though it had a senate, calls this particular constitution "democratic and senatorial," implying apparently that the populace now had the right to elect magistrates, and that the senate was the governing body of the state as in the Thessalian League formed by Flamininus.

How the senators were chosen for these important legislatures we are not explicitly told, but we are able to eliminate certain

possibilities. Direct election by the one primary assembly is out of the question, both because that would have thrown control into the hands of the *improbum vulgus* and because Livy mentions only the magistrates as subject to election at the general meeting (xlv. 29). Furthermore the senators were not procured as in Italian municipalities by virtue of some office in a municipality or of some property qualification, "synedros legendos" (Livy xlv. 32). Again, it is impossible to think that Paulus would have approved of selection by lot, an inefficient democratic method which never appealed to the Romans, and which they discouraged even at Athens when they became influential there. After eliminating these possibilities there is little doubt that the several municipal senates (which we know existed: Pol. 31. 26) were required to elect a definite number of representatives, subject doubtless to certain qualifications regarding age, occupation, and wealth. It would seem then that the government of these republics was in the hands of a unicameral representative senate and elective magistrates subject to the orders of this senate.

There is one more point in which these republics differed vitally from the older Greek republican leagues and also from the Thessalian government formed by Flamininus. The leagues had of course been federations of city-states approaching more or less closely to national unities, but after all not one of them, despite the efforts that it may have exerted, ever succeeded in merging its constituent units into a thoroughly welded central government. The citizens of the Achaean League were "Achaeans," to be sure, so far as coinage or war was concerned; but they never lost consciousness of the fact that they were also citizens of what had been separate, independent city-states, city-states which at any moment might again have to stand alone. Not so in Macedonia. Macedonian people, because of their common language, their supposed kinship, and their strong centralized government, had long shared in the benefits of a homogeneous territorial state. They had been classed according to cities by the Macedonian kings only for administrative purposes. As regards citizenship, they were always "Macedonians." It lay then in the nature of the case that when the new Macedonian republics were formed they could and of necessity must be unified states with a strong central government, and that these states would be in no danger of disintegrating into separate city-states—a danger which was always imminent in the leagues. It is in this respect that the new states were perhaps most unlike other ancient republics.

It is a great misfortune that this fruitful experiment failed to develop into a standing object-lesson in republican government. It was only some sixteen years after its formation that a pretender to the inheritance of Perseus called upon the Macedonians to unite under the old regal forms of Alexander. They were well enough satisfied with Paulus' constitution to refuse the call, but the pretender raised an army in Thrace, invaded Macedonia, and destroyed the republics. To save itself from the recurrence of such accidents the Roman senate, now led by more hard-headed men than Paulus, reorganized Macedonia into a Roman province, and the memory of one of Rome's most brilliant experiments in government gradually faded from the records.

We have attributed these experiments to Flamininus, Paulus, and the two commissions that worked with them. It may be worth noting that these men, like most Romans, were far from being theoretical experimenters, and that they kept their feet on the solid ground of experience. These men realized from their experiences with the Achaeans, Aetolians, and Boeotians that the primary assemblies of the Greek leagues were not very friendly to Rome; also that such assemblies were difficult for Roman legations to deal with when quick action was necessary. They discovered furthermore that autocrats like Philip and Antiochus, who opposed Rome, always appealed to the populace against the aristocracies for support. Indeed the Romans all through their imperialistic career except perhaps during the brief Gracchan epoch—labored to gain dominance for the propertied classes, who of course were most favorable to firm government and the régime of peace which Roman intervention usually procured. The Roman charters drawn up for Sicilian cities in 193 and in 131 B.C. were decidedly aristocratic. Mummius followed the same principle in making charters for the cities of the Peloponnesus when he wrecked the Achaean League in 146, and several inscriptions containing legislative acts of Greek

cities under Roman sway are signed simply by the senate without the concurring vote of a primary assembly. It is clear, therefore, that Flamininus and Paulus were working along orthodox Roman lines when they placed the power in a senate and excised the usual Greek primary assembly. However, since Rome offered no model for a senate which could equitably represent several widely separated cities, and which could be depended upon to speak reliably for all parts of an extensive territory, these constitution makers were glad to accept a Greek device which accomplished this purpose. Both of them dealt frequently with the synedria of the Aetolian and Achaean leagues, and it was probably one of these leagues that furnished the model for the new senates.

There is one more constitution which is believed by some students to have made important use of the representative principle, namely the one shaped by the Italian allies that revolted from Rome in 90 B.C. when their request of Roman citizenship was refused. To be sure Diodorus (37.2), our chief authority, adds the disparaging statement that the constitution was essentially a copy of the Roman polity, and Mommsen interprets his evidence in the spirit of that statement. However, we need not hastily assume from what we know of Diodorus that he was capable of making a discriminating analysis of vital elements that may have existed beneath certain superficial resemblances. The Italians apparently adopted the double consulship and the board of praetors from Rome; they also, as at Rome, intrusted the election of magistrates to a primary assembly, although some of the voters lived more than two hundred miles away. But they did at least comprehend a fact which the Romans had refused to acknowledge in their own government, that a primary assembly under such circumstances could not represent all sections of the nation fairly. Accordingly, despite strong democratic leanings, they frankly laid the task of governing upon a senate of five hundred.

Though this is all we know definitely, we may be permitted to examine possibilities regarding the composition of the senate. is entirely conceivable that the first senate was selected by a committee, and that in the future vacancies were to be filled by censorial selection from the ex-magistrates, as was the custom at Rome. If that was the case, the senators were in no sense true representatives of the tribes.

However, we know that tribal sentiment was very strong among the Samnites, the Marsi, and the other tribes. They had long had local self-government, had had assemblies, senates, and magistrates of their own, had always fought in the Roman armies by units under their own officers, and had dealt with Rome, at least formally, as well-organized states. Now it is difficult to think that the strong Samnite tribe, for instance, of whose citizens but few could afford to go to the elections at Corfinium, would acquiesce in a government whose ruling body consisted ex officio of men elected solely by those who could readily assemble at Corfinium. If the statesmen who made the constitution placed the government in the hands of a senate rather than in the hands of a primary assembly in order to obviate the dangers of a government managed by the citizens near Corfinium, they probably also took the next logical step and organized the senate in such a way that it would be representative of all the tribes. The idea could not have been entirely beyond their vision, since the Latins had at least twice proposed that scheme to Rome, since all the Italic tribes were accustomed to elect men for delegations that went to Rome to consult the Roman senate on matters of common interest, and since furthermore the constitutions devised by Flamininus and Paulus still existed in several states of Greece. It is very likely, therefore, that this senate of five hundred was to consist of deputies to be elected by the various tribes and cities of the league, apportioned according to the population of each. Whether such elections would be held by the local tribal senates or by the local assemblies is a matter of less importance, though considering the democratic learnings of most of these tribes, we should naturally suppose that the people elected directly.

This new government was wrecked, not because of any inherent weakness—it conducted the war with great skill—but partly because Rome was supported by the resources of a vast empire and partly because Rome confessed herself in the wrong and granted the allies their original demands. The result was the destruction of a con-

stitution which if not conforming to all the requirements of representative government contained all the essentials that might readily have developed that form.

The Greeks and Romans, then, were well aware of the advantages of government by deputies and frequently employed parts of its machinery. It is largely due to accident that no state of importance drawn upon a free use of the principle survived for long. After Rome became supreme in the Mediterranean world there was no room for political experiments outside of the empire, while the world-state itself was too unwieldy and contained too many heterogeneous elements to permit a thoroughgoing application of the principle.

In conclusion we may recall that the interesting provincial concilia made up of delegates sent by the various provincial communities to annual meetings held at the provincial capitals prove that the ideas of Flamininus and Paulus bore fruit in the empire, even though these concilia were supposed to concern themselves solely with religious matters. In the late empire, at least, these councils often discussed temporal matters as well, and their recommendations to the emperors had no small influence upon the policies of the government. Ultimately the councils of the church adopted the machinery of these pagan concilia, and it is not improbable that such church councils first suggested the machinery that finally developed into the parliaments of modern states."

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<sup>1</sup> See the following:
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Frank, "The Macedonian Republics," Class. Phil., IX, 49.